IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.8415 OF 2004

Shri Devidas Dhanaji Thakare ..Petitioner

Versus

The Chief Executive officer, Nashik Zilla Parishad, Nashik and Ors. ..Respondents

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Mr.N.V.Bandiwadekar for the petitioner.

Mr.R.V.More for the Respondents.

Coram : R.M.LODHA & R.S.MOHITE,JJ

Date : 16.03.2005

PC

. Heard the learned Counsel for the petitioner and the learned Counsel for the Respondents.

2. The learned Counsel for the petitioner confines this Writ petition to only one prayer. That prayer is that the petitioner is entitled to deputation allowance from the date he joined the service as Secondary School Teacher on deputation pursuant to the order dated 22.7.1992 passed by Respondent No.2 but that is wrongfully denied.

3. In our considered view, it would be in the fitness of things if the petitioner’s grievance is

considered by the Education Officer (primary) Zillla Parishad, Nashik.

4. We accordingly dispose of the Writ petition by the following order :-

O R D E R

(i) The petitioner shall make representation to the Education officer (Primary) Zilla Parishad, Nashik within 3 weeks from today regarding his claim for the deputation allowance as a Secondary School Teacher ;

(ii) Upon receipt of the representation, the Education officer (Primary) Zilla Parishad, Nashik shall seek comments of the Respondent No.3 herein viz. the Head Master, Zilla Parishad Vidyaniketan, Deola, Tal. Deola, Dist. Nashik ;

(iii) The Education officer (Primary) Zilla Parishad, Nashik shall take decision on the representation of the petitioner after hearing the petitioner and the respondent no.3 as early as possible and in no case later than 3 months from the date of receipt of representation from the petitioner ;

(iv) In case the order of the Education officer (Primary) Zilla Parishad, Nashik is adverse to the petitioner, the petitioner shall be entitled to pursue appropriate remedy for the redressal of his grievance.

(R.M.LODHA,J)

(R.S.MOHITE,J)